

UNITED STATES OF AMERICA

DISTRICT COURT FOR MASSACHUSETTS

ROSARIO GUZZI, Plaintiff)
v.)
MICHAEL THOMPSON, Defendant)

) CASE NO. 05-10300 RWZ

PETITION TO PROCEED WITHOUT PREPAYMENT OF FEES AND

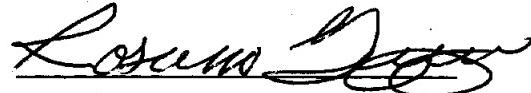
AFFIDAVIT

The petitioner-plaintiff in the above captioned matter respectfully moves this Honorable Court GRANT him to proceed in his habeas request, U.S.C. sec. 2254, without fees or costs, U.S.C. sec. 1915.

The petitioner-plaintiff deposes and says:

1. I am currently incarcerated at MCI Shirley Medium and in the custody of Superintendent Michael Thompson;
2. I am without funds to pay the costs of these proceedings;
3. I have enclosed a true copy of my financial account information in support of my request to proceed in forma pauperis.

SWORN by me at Shirley, Middlesex, MA 01464, under the pains and penalties of perjury.



Rosario Guzzi, pro se

MCI Shirley Medium

Box 1218

Shirley, MA 01464

January 31, 2005

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF CORRECTION

Inmate Transaction Report

Date : 20050207 18:37

Page : 1

Commit# : W63283 MCI SHIRLEY (MEDIUM)

Name : GUZZI, ROSARIO, F, JR. Statement From 20040801

Inst : MCI SHIRLEY (MEDIUM) To 20050131

Block : F-2

Cell/Bed : 51 /51B

| Transaction Date | Type | Receipt # | Check No | Inst Name | Notes | Income | Personal Expense | Income | Savings Expense |
|---|-------------------------------------|-----------|----------|-----------|--|----------|------------------|--------|-----------------|
| Total Transaction before this Period : | | | | | | | | | |
| 20040811 17:03 | IS - Interest | 3209305 | | SHI | | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 20040811 17:03 | IS - Interest | 3209306 | | SHI | | \$0.00 | \$0.00 | \$0.28 | \$0.00 |
| 20040820 08:33 | ML - Mail | 3264241 | | SHI | -POSTAL 07267897967 PO 024541 -LEONE, HELEN, M, | \$20.00 | \$0.00 | \$0.00 | \$0.00 |
| 20040831 22:30 | CN - Canteen | 3301904 | | SHI | -Canteen Date : 20040831 | \$0.00 | \$19.96 | \$0.00 | \$0.00 |
| 20040908 16:50 | IS - Interest | 3335509 | | SHI | | \$0.01 | \$0.00 | \$0.00 | \$0.00 |
| 20040908 16:50 | IS - Interest | 3335510 | | SHI | | \$0.00 | \$0.00 | \$0.32 | \$0.00 |
| 20040917 08:49 | ML - Mail | 3392001 | | SHI | -POSTAL# 07269587504-LEONE, HELEN, M, | \$20.00 | \$0.00 | \$0.00 | \$0.00 |
| 20040928 22:30 | CN - Canteen | 3429493 | | SHI | -Canteen Date : 20040928 | \$0.00 | \$19.74 | \$0.00 | \$0.00 |
| 20041013 08:34 | ML - Mail | 3494809 | | SHI | -POSTAL 07268960452 -Leone, Helen, , | \$20.00 | \$0.00 | \$0.00 | \$0.00 |
| 20041013 08:34 | MA - Maintenance and Administration | 3494810 | | SHI | -Monthly Maintenance and Administration Fee | \$0.00 | \$1.00 | \$0.00 | \$0.00 |
| 20041013 16:59 | IS - Interest | 3500771 | | SHI | | \$0.01 | \$0.00 | \$0.00 | \$0.00 |
| 20041013 16:59 | IS - Interest | 3500772 | | SHI | | \$0.00 | \$0.00 | \$0.33 | \$0.00 |
| 20041019 22:30 | CN - Canteen | 3539072 | | SHI | -Canteen Date : 20041019 | \$0.00 | \$19.86 | \$0.00 | \$0.00 |
| 20041025 08:48 | ML - Mail | 3562514 | | SHI | -POSTAL# 07269685558-UTTARO, ANN, , | \$80.00 | \$0.00 | \$0.00 | \$0.00 |
| 20041102 22:30 | CN - Canteen | 3602426 | | SHI | -Canteen Date : 20041102 | \$0.00 | \$42.18 | \$0.00 | \$0.00 |
| 20041109 22:30 | CN - Canteen | 3640096 | | SHI | -Canteen Date : 20041109 | \$0.00 | \$17.09 | \$0.00 | \$0.00 |
| 20041110 08:33 | ML - Mail | 3640933 | | SHI | -POSTAL 07267712016 PO 024661 | \$20.00 | \$0.00 | \$0.00 | \$0.00 |
| 20041110 08:33 | MA - Maintenance and Administration | 3640934 | | SHI | -Monthly Maintenance and Administration Fee | \$0.00 | \$1.00 | \$0.00 | \$0.00 |
| 20041110 16:46 | IS - Interest | 3646506 | | SHI | | \$0.04 | \$0.00 | \$0.00 | \$0.00 |
| 20041110 16:46 | IS - Interest | 3646507 | | SHI | | \$0.00 | \$0.00 | \$0.37 | \$0.00 |
| 20041116 08:25 | ML - Mail | 3680807 | | SHI | -WU# 08191095037-SNOW, MARGARIE, , | \$7.40 | \$0.00 | \$0.00 | \$0.00 |
| 20041116 22:30 | CN - Canteen | 3686238 | | SHI | -Canteen Date : 20041116 | \$0.00 | \$11.82 | \$0.00 | \$0.00 |
| 20041123 22:30 | CN - Canteen | 3718699 | | SHI | -Canteen Date : 20041123 | \$0.00 | \$26.25 | \$0.00 | \$0.00 |
| 20041130 22:30 | CN - Canteen | 3743618 | | SHI | -Canteen Date : 20041130 | \$0.00 | \$8.40 | \$0.00 | \$0.00 |
| 20041207 17:00 | IS - Interest | 3779615 | | SHI | | \$0.06 | \$0.00 | \$0.00 | \$0.00 |
| 20041207 17:00 | IS - Interest | 3779616 | | SHI | | \$0.00 | \$0.00 | \$0.40 | \$0.00 |
| 20041213 09:53 | ML - Mail | 3818666 | | SHI | -POSTAL# 07595263045-LEONE, HELEN, M, | \$20.00 | \$0.00 | \$0.00 | \$0.00 |
| 20041213 09:53 | MA - Maintenance and Administration | 3818667 | | SHI | -Monthly Maintenance and Administration Fee | \$0.00 | \$1.00 | \$0.00 | \$0.00 |
| 20041221 22:30 | CN - Canteen | 3862623 | | SHI | -Canteen Date : 20041221 | \$0.00 | \$19.76 | \$0.00 | \$0.00 |
| 20041223 10:11 | ML - Mail | 3879877 | | SHI | -WU 08-032535711 -UTTARO, ANN, , | \$130.00 | \$0.00 | \$0.00 | \$0.00 |

COMMONWEALTH OF MASSACHUSETTS

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Cell/Bed : 51 /51B

| Transaction Date | Type | Receipt # | Check No | Inst Name | Notes | Personal | | Savings | |
|------------------|---------------------------------------|-----------|----------|-----------|---|----------|----------|---------|---------|
| | | | | | | Income | Expense | Income | Expense |
| 20041228 22:30 | CN - Canteen | 3896513 | | SHI | -Canteen Date : 20041228 | \$0.00 | \$38.01 | \$0.00 | \$0.00 |
| 20050104 22:30 | CN - Canteen | 3926484 | | SHI | -Canteen Date : 20050104 | \$0.00 | \$23.78 | \$0.00 | \$0.00 |
| 20050106 10:33 | IC - Transfer from Inmate to Club A/c | 3943005 | | SHI | -APPLIANCE-CANTEEN CORP. WASH ACCOUNT - Z6~CANTEEN CORP. WASH ACCOUNT - Z6 | \$0.00 | \$29.54 | \$0.00 | \$0.00 |
| 20050110 08:27 | ML - Mail | 3952672 | | SHI | -POSTAL# 08009889186-LEONE, HELEN, M, | \$20.00 | \$0.00 | \$0.00 | \$0.00 |
| 20050110 08:27 | MA - Maintenance and Administration | 3952673 | | SHI | -Monthly Maintenance and Administration Fee | \$0.00 | \$1.00 | \$0.00 | \$0.00 |
| 20050112 14:03 | IC - Transfer from Inmate to Club A/c | 3965683 | | SHI | -CLOTHING-KCN WASH ACCOUNT - Z5-KCN WASH ACCOUNT - Z5 | \$0.00 | \$29.98 | \$0.00 | \$0.00 |
| 20050113 17:06 | IS - Interest | 3980740 | | SHI | | \$0.09 | \$0.00 | \$0.00 | \$0.00 |
| 20050113 17:06 | IS - Interest | 3980741 | | SHI | | \$0.00 | \$0.00 | \$0.46 | \$0.00 |
| 20050118 22:30 | CN - Canteen | 4007116 | | SHI | -Canteen Date : 20050118 | \$0.00 | \$22.82 | \$0.00 | \$0.00 |
| 20050125 12:34 | AT - Account Transfer | 4033720 | | SHI | -SAV TO PER COURT ORDER FOR FILLING FEE-W63283 GUZZI,ROSARIO F JR. PERSONAL | \$50.00 | \$0.00 | \$0.00 | \$50.00 |
| 20050125 12:37 | EX - External Disbursement | 4033732 | 47508 | SHI | -CIVIL DOCKET #MICS2004-02353-A -CLERK-MIDDLESEX SUPERIOR COURT | \$0.00 | \$50.00 | \$0.00 | \$0.00 |
| 20050127 12:34 | CI - Transfer from Club to Inmate A/c | 4050398 | | SHI | -CANTEEN REFUND 1/18/05-W63283 GUZZI,ROSARIO F JR. PERSONAL-KCN WASH ACCOUNT - Z5 | \$22.82 | \$0.00 | \$0.00 | \$0.00 |
| | | | | | | \$410.43 | \$383.11 | \$2.16 | \$50.00 |

| Personal | Savings |
|----------|----------|
| \$27.93 | \$131.83 |

Balance as of ending date :

Current Balances :

| Personal | Savings | Freeze | Loan | Restitution | Sentence |
|----------|----------|--------|--------|-------------|----------|
| \$27.93 | \$128.83 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |